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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,361	06/05/2001	Toshio Yoshida	826.1728	5163

21171 7590 07/05/2007
STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

AKINTOLA, OLABODE

ART UNIT PAPER NUMBER

3691

MAIL DATE DELIVERY MODE

07/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/873,361	Applicant(s) YOSHIDA ET AL.	
	Examiner Olabode Akintola	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-12, 15-24, 26-36, 39-48, 50-60, 63-72 and 76-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 2-12, 15-24, 26-36, 39-48, 50-60, 63-72 and 76-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 76-78, 2, 5, 9, 12, 16-20, 22-24, 26, 29, 33, 36, 40-44, 46-48, 50, 53, 57, 60, 64-68 and 70-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalili (USPN 6088683) in view of Kramer et al (USPN 6738810)

Re claims 76-78: Jalili teaches an online settlement system for settling payment of a transaction online (Abstract), comprising: a storage unit storing transaction content of a user (col. 2, lines 28-39); a display unit, coupled to said storage unit by at least one network, receiving the transaction contents from said storage unit in response to a request from the user prior to

payment and presenting the transaction content to the user (col. 2, lines 28-39); a payment unit, coupled to said storage unit, processing payment by the user of a price of the transaction content to be settled by the user using an account handling institute (col. 2, lines 40-67).

Jalili does not explicitly teach a warning unit, coupled to said storage unit, setting a payment time limit for the transaction and warning the user when the user logs onto the online settlement system against completing the payment when the payment time limit for the transaction is set to expire within a predetermined number of time units after the user logs onto the online settlement system. Kramer teaches these limitations (col. 16, lines 15-35; col. 19, lines 14-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jalili to include these steps as taught by Kramer. One would have been motivated to do this in order to alert the user about the pending invoice before it becomes due.

Re claims 2, 26 and 50: Jalili teaches the step wherein said transaction content storage unit receives online a content of a transaction conducted online by a user and stores the content (col. 2, lines 28-39).

Re claims 5, 29 and 53: Jalili teaches the step wherein the account handling institute can settle a payment online (col. 2, lines 63-65).

Re claims 9, 33 and 57: Jalili teaches the step a transaction content list display unit displaying a list of transaction contents conducted with a transaction partner at a request from the transaction

partner of a user (col. 2, lines 36-37).

Re claims 12, 36 and 60: Jalili teaches the step a notification unit notifying a transaction partner of payment of a price of a transaction, which is settled by the user (col. 3, lines 1-5).

Re claims 16, 40 and 64: Jalili teaches the step wherein a payment time limit of each transaction is set in said transaction content storage unit and the transaction content of each transaction is deleted when the payment time limit is expired (col. 2, lines 37-39).

Re claims 17, 41 and 65: Jalili teaches the step wherein prior to deletion of the transaction content, the deletion of the transaction content is reported to the transaction partner of the transaction content (col. 3, lines 1-6).

Re claims 18, 42 and 66: Jalili teaches the step wherein if there are a plurality of transaction contents, the plurality of transaction contents are grouped and payment of the plurality of transaction contents is settled at one time (col. 2, lines 36-38).

Re claim 19, 43 and 67: Jalili teaches the step wherein if an account balance of an account handling institute is not sufficient to settle payment of all the grouped transaction contents, the payment of the entire grouped transaction contents is stopped (col. 2, lines 12-13).

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Re claims 20, 44 and 68: Jalili teaches the step wherein the transaction contents stored in said transaction content storage unit are generated and stored when the user applies for a transaction, and both display of a list of transaction contents, the price payment of which are not settled, and payment of the prices are made after the user applies for the transaction (col. 2, lines 35-39).

Re claims 22, 46 and 70: Jalili does not explicitly teach the step wherein if the price is paid, account balance of an account handling institute used by the user is presented to the user.

However, Jalili teaches credit limit (col.2, line12). Official notice is hereby taken that it is old and well known in the art to display account balance to users after transaction settlement. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jalili to include this step in order to ensure that the user is aware of his account balance in order to avoid exceeding his credit limit.

Re claims 23-24, 47-48 and 71-72: Jalili teaches a transaction content detailed information display unit displaying detailed information about transaction contents displayed by said unsettled payment list display unit; said transaction content detailed information display unit further comprising a transaction target information display unit displaying information about a transaction target (col. 2, lines 35-39).

Claims 3, 27 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalili in view of Kramer and further in view of Kumar et al (USPAP 20010023414).

Re claims 3, 27 and 51: Jalili does not explicitly teach the step wherein said transaction content storage unit receives online a content of a transaction conducted offline by a user from a transaction partner of the user and stores the content. Kumar teaches the step wherein said transaction content storage unit receives online a content of a transaction conducted offline by a user from a transaction partner of the user and stores the content (section 0228). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jalili to include this step as taught by Kumar. One would have been motivated to do this in order to afford the user the opportunity to settle offline transaction via the web.

Re claims 4, 28 and 52: Jalili teaches a unit notifying a user of a payment request if a transaction content of a user is received from the transaction partner (col. 3, lines 1-11).

Re claims 6-8, 10, 30-32, 34, 54-56 and 58: Jalili does not explicitly teach a deletion unit deleting a settled item from a transaction content stored in said transaction content storage unit; wherein said deletion unit stores a settled item in a settled transaction content storage unit; a user payment history display unit displaying user's past payment histories at a request from the user. Kumar teaches a deletion unit deleting a settled item from a transaction content stored in said transaction content storage unit; wherein said deletion unit stores a settled item in a settled transaction content storage unit; a user payment history display unit displaying user's past payment histories at a request from the user (sections 0234 and 0240). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jalili to include

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these steps as taught by Kumar. One would have been motivated to do this in order to place the settled item in the bills history list.

Claims 11, 35 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalili in view of Kramer and further in view of Yun et al (USPAP 20020069122).

Re claims 11, 35 and 59: Jalili does not explicitly teach an account handling institute recommendation unit recommending an appropriate account handling institute to be used to the user if there are a plurality of the account handling institutes. Yun teaches an account handling institute recommendation unit recommending an appropriate account handling institute to be used to the user if there are a plurality of the account handling institutes (section 0031 and 0034). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jalili to include these steps as taught by Yun. One would have been motivated to do this in order to assist the user in making the most appropriate or lest expensive institute.

Claims 15, 39 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalili in view of Kramer and further in view of Furphy et al (USPN 6882983).

Re claims 15, 39 and 63: Jalili does not explicitly teach wherein said warning unit warns a user against payment by electronic mail. Furphy teaches wherein said warning unit warns a user against payment by electronic mail (col. 13, lines 39-53). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jalili to include these steps as

taught by Furphy. One would have been motivated to do this in order to alert the user about the pending invoice before it becomes due.

Claims 21, 45 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalili in view of Kramer and further in view of Guheen et al (USPN 6473794).

Re claim 21, 45 and 69: Jalili does not explicitly teach an advertisement related to the transaction contents is presented to the user together with the list. Guheen teaches an advertisement related to the transaction contents is presented to the user together with the list (col. 192, lines 41-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jalili to include this step as taught by Guheen. One would have been motivated to do this in order to generate advertisement income from advertisers.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO


MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA



HANI M. KAZIMI
PRIMARY EXAMINER